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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q67095

Masakazu NISHIKAWA, et al.

Appln. No.: 10/023,832

Group Art Unit: 2653

Confirmation No.: 3179

Examiner: Tan X. DINH

Filed: December 21, 2001

For: INFORMATION RECORDING MEDIUM, INFORMATION RECORDING AND  
REPRODUCING METHOD AND MANUFACTURING METHOD OF INFORMATION  
RECORDING MEDIUM

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

**ATTN: MAIL STOP ISSUE FEE**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants offer the following comments in response to the Examiner's Statement of Reasons for Allowance set forth on page 2 of the Notice of Allowability dated August 5, 2004:

First, on page 2 of the Notice of Allowability, the Examiner states that claims 1-19 are allowed. However, page 1 of the Notice of Allowability clearly indicates that claims 1-39 have been allowed. Applicants assume that this is a typographical error and that the Examiner actually intended to indicate, on page 2 of the Notice of Allowability, that claims 1-39 are allowed.

Second, the Reasons for Allowance given by the Examiner state that "a magneto-optic disk includes...". However, none of claims 1-39 recite the feature of "a magneto-optic disk." Accordingly, Applicants object to the Reasons for Allowance given by the Examiner to the extent that they suggest that "a magneto-optic disk" is an element required by any of claims 1-39.

Third, the Examiner states that “the magnetic recording layer is in advance magnetized for concentrically or spirally...”(emphasis added). Applicants assume that this is a typographical error and that the Examiner actually intended to indicate that “the magnetic recording layer is in advance magnetized concentrically or spirally...”, as recited, for example, in claim 1.

Fourth, the Examiner states that “the magnetic recording layer is in advance magnetized for concentrically or spirally around the center of the disk...” (emphasis added). However, the independent claims 1, 7, 11, 12, and 39 each recite the feature that “the magnetic recording layer is in advance magnetized concentrically or spirally around the center of the substrate...” (emphasis added). Accordingly, Applicants submit that claims 1-39 are allowable by virtue of the recitations set forth therein, and not the Examiner’s inaccurate paraphrasing of such recitations.

Fifth, the Examiner states that “magnetized regions are disposed such that adjacent regions are magnetized in different directions.” However, the term “adjacent” is not recited in any of claims 1-39. Hence, Applicants submit that claims 1-39 are allowable by virtue of the recitations set forth therein, and not the Examiner’s inaccurate paraphrasing of such recitations.

Sixth, Applicants note that the Examiner states that “magnetized regions are... alternately arranged in the radial direction of the disk...” (emphasis added). However, the independent claims 1, 7, 11, 12, and 39 each recite the feature that “magnetized regions magnetized in different directions are alternately arranged in a radial direction of the substrate,” (emphasis added). Therefore, Applicants submit that claims 1-39 are allowable by virtue of the recitations set forth therein, and not the Examiner’s inaccurate paraphrasing of such recitations.

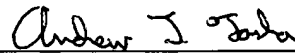
Finally, the Examiner states that “the magnetic recording layer is in advance magnetized for concentrically or spirally... for performing tracking servo.” However, claim 1 recites, for example, that “the magnetic recording layer is in advance magnetized concentrically or spirally around a center of the substrate for tracking.” Thus, Applicants submit that claims 1-39 are

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allowable by virtue of the recitations set forth therein, and not the Examiner's inaccurate paraphrasing of such recitations.

Respectfully submitted,



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**23373**

CUSTOMER NUMBER

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